

ANIMAL HUSBANDRY DEPARTMENT

The 30th December, 1981

No. 9081-AH(3)-81/20131.—The Governor of Haryana is pleased to retire Shri Ranvir Singh Malik, H.V.S. II, on deputation to the Haryana Agricultural University, Hissar from Government service with effect from the 31st December, 1981 (A.N.) on his attaining the age of superannuation at 58 years.

KULWANT SINGH,

Commissioner and Secretary to Government, Haryana,
Animal Husbandry Department.

PUBLIC WORKS DEPARTMENT

BUILDINGS AND ROADS BRANCH

The 22nd December, 1981

No. 11/23-BR(Estt)-6-81.—On attaining the age of 58 years Shri R. C. Sharma, Chief Engineer, P.W.D., B&R Branch will retire on superannuation from service with effect from the 31st December, 1981 (afternoon).

The 30th December, 1981

No. 4-366-B&R (E)-5-81.—On attaining the age of 58 years, Shri Ved Parkesh Garg Sub-Divisional Engineer, retired on superannuation from Government service with effect from the afternoon of 31st December, 1981.

K. K. SHARMA,

Commissioner and Secretary to Government, Haryana,
P. W. D., B&R Branch.

LABOUR DEPARTMENT

The 9th November, 1981

No. 9 (1)-81-6Lab/12420.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s H. C. M. Plating Corporation, Sector 24, Faridabad.

IN THE COURT OF SHRI HARI SINGH KAUSHIK, PRESIDING OFFICER,
LABOUR COURT, HARYANA, FARIDABAD

Reference No. 549 of 1980

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between

SHRI TAPESHWAR YADAV, WORKMAN AND THE MANAGEMENT OF M/S H.C.M.
PLATING CORPORATION, SECTOR 24, FARIDABAD

Present :

Shri Sunheri Lal for the workman.

Shri W. C. Sharma for the management.

AWARD

This reference No. 549 of 1980 has been referred to this court by the Hon'ble Governor of Haryana,—vide his order No. ID/FD/59731, dated 11th December, 1980, under section 10 (1) (c) of the Industrial Disputes Act, 1947, for adjudication of the dispute existing between Shri Tapeswar Yadav workman and the management of M/s. H. C. M. Plating Corporation, Sector 24, Faridabad. The term of the reference was:—

Whether the termination of services of Shri Tapeswar Yadav was justified and in order ? If not, to what relief is he entitled ?

After receiving this reference, notices were sent to the parties. The parties appeared and filed their pleadings. On 3rd September, 1981 the date fixed in the case, the representative of the workman made a statement in this Court that the workman is not coming despite my informing him about his case for the last two three months. He further stated that he had no instructions from the workman to pursue his case and withdraw the same.

As neither the workman nor his representative were interested in pursuing the dispute. Therefore, I give my award that there is no dispute between the parties on the issues so referred to this Court for adjudication. I thus answer the reference while returning the award in these terms. No order as to costs.

Dated the 1st October, 1981.

HARI SINGH KAUSHIK,

Presiding Officer,
Labour Court, Haryana,
Faridabad.

Endorsement No. 2947, dated 6th October, 1981

Forwarded (four copies) to the Commissioner and Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947, with the request that the receipt of the abovesaid award may please be acknowledged within week's time.

HARI SINGH KAUSHIK,

Presiding Officer,
Labour Court, Haryana,
Faridabad.

The 29th December, 1981

No. 9(1)-81-6Lab./14216.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s. Indogem Pharmaceuticals, Sector 6, Faridabad.

BEFORE SHRI M. C. BHARDWAJ, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 222 of 1981
between

SMT. JANAKY JAVE WORKMAN AND THE MANAGEMENT OF M/S. INDOGEM
PHARMACEUTICALS, SECTOR 6, FARIDABAD

Present

Shri Mohit Kumar for the workman.
None for the management.

AWARD

By order No. ID/FD/61/81/32015, dated 3rd July, 1981, the Governor of Haryana referred the following dispute between the management of M/s Indogem Pharmaceuticals, Sector 6, Faridabad and its workman Smt. Janaky Jane, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Smt. Janaky Jave was justified and in order? If not, to what relief is she entitled?

On receipt of the order of reference, notices were issued to the parties. On the first date of hearing the representative for the workman appeared but the management did not appear as service was not effected on them. Then again notice was sent to the management. The management did not appear despite service and the case was fixed for the evidence of the workman. The workman in her *ex parte* statement stated that she was employed by the management on 25th October, 1976 on wages of Rs. 246 p.m. Her services were terminated without assigning any reason. She had received one month's notice before termination of service. No compensation was paid to her. Demand notice was signed by her. She was unemployed.

I believe in the *ex-parte* statement of the workman and give my award that the termination of services of the workman was neither justified nor in order. The lady worker is entitled to re-instatement with continuity of service and with full back wages.

Dated, the 25th November, 1981

M.C. BHARDWAJ,

Presiding Officer, Industrial
Tribunal, Haryana, Faridabad.

No. 1070, dated the 27th November, 1981.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

M.C. BHARDWAJ,

Presiding Officer, Industrial
Tribunal, Haryana, Faridabad.

No. 9(181-6 Lab./14319.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s. Bajaj Gaour (Udaivir Singh), Contractor, Tractor Transport Escorts Ltd, Mathura Road, Faridabad, 2. Escorts Ltd., Mathura Road, Faridabad:—

BEFORE SHRI M.C. BHARDWAJ, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 245 of 1981

between

THE WORKMEN AND THE MANAGEMENT OF M/S. BAJAJ GAOUR (UDAIVIR SINGH),
CONTRACTOR, TRACTOR TRANSPORT ESCORTS LTD., MATHURA ROAD,
FARIDABAD, (2) ESCORTS LTD., MATHURA ROAD, FARIDABAD

AWARD

By order No. ID/FD/226-81/36158, dated 31st July, 1981, the Governor of Haryana referred the following disputes between the management of M/s Bajaj Gaour (Udaivir Singh), Contractor, Tractor Transport Escorts Ltd., Mathura Road, Faridabad, (2) Escorts Ltd., Mathura Road, Faridabad and its workmen, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

- (1) Whether the tractor drivers should be insured under General Insurance Policy ? If so, with what details ?
- (2) Whether the tractor drivers should be paid driving allowance ? If so, with what details ?
- (3) Whether the tractor drivers are entitled to the grant of return journey fare ? If so, with what details ?
- (4) Whether the tractor drivers should be paid daily allowance in case of delay in tractor delivery ? If so, with what details ?
- (5) Whether the tractor drivers who fell sick during the transit period should be compensated towards medical expenses ? If so, with what details ?
- (6) Whether the tractor drivers should be suitably compensated, if the tractors are sent by towing another tractor ? If so, with what details ?

On receipt of the order of reference, notices were issued to the parties. The parties appeared. The workmen prayed for an adjournment for filing claim statement. On the date fixed, the workmen did not appear. On behalf of respondent No. 2, Shri N. S. Patra made a statement that the concerned

workmen were not employees of Escorts Ltd., rather they were engaged by the agents as the management gave delivery of the tractors at the factory gate. No allowance etc. was given to the drivers by the management. In view of *ex-parte* evidence of respondent No. 2, I find that concerned workmen were not employees of M/s. Escorts Ltd. The workmen did not come forward to controvert the plea of respondent No. 2 and also to establish their own case. Therefore, the reference fails. The workmen are not entitled to any relief.

Dated the 24th November, 1981.

M. C. BHARDWAJ,

Presiding Officer

Industrial Tribunal, Haryana, Faridabad.

No. 1049, dated 25th November, 1981.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

M. C. BHARDWAJ,

Presiding Officer,

Industrial Tribunal, Haryana, Faridabad.

No. 9(1), 81-6 Lab./14311.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workmen and the management of M/s Mayour Traders Tractors Transport Contractor, Mathura Road, Faridabad, (2) Escorts Ltd., Mathura Road, Faridabad.

BEFORE SHRI M. C. BHARDWAJ, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 243 of 1981

between

THE WORKMEN AND THE MANAGEMENT OF M/S MAYOUR TRADERS TRACTORS
TRANSPORT CONTRACTOR, MATHURA ROAD, FARIDABAD, (2) ESCORTS LTD.,
MATHURA ROAD, FARIDABAD

AWARD

By order No. ID/FD/266/80/36135, dated 31st July, 1981, the Governor of Haryana referred the following dispute between the management of M/s Mayour Traders, Tractors Transport Contractor, Mathura Road, Faridabad, (2) M/s. Escorts Ltd., Mathura Road, Faridabad and its workmen, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 :—

1. Whether the tractor drivers should be insured under General Insurance Policy ? If so, with what details ?
2. Whether the tractor drivers should be paid driving allowance ? If so, with what details ?
3. Whether the tractor drivers are entitled to the grant of return journey fare ? If so, with what details ?
4. Whether the tractor drivers should be paid daily allowance in case of delay in tractor delivery ? If so, with what details ?
5. Whether the tractor drivers who fell sick during the transit period should be compensated towards medical expenses ? If so, with what details ?
6. Whether the tractor drivers should be suitably compensated, if the tractors are sent by towing another tractor ? If so, with what details ?

On receipt of the order of reference, notices were issued to the parties. The parties appeared. The workmen prayed for an adjournment for filing claim statement. On the date fixed, respondent No. 1 did not appear despite service. No claim statement was filed by the workmen, rather none appeared for them on the later dates. On behalf of respondent No. 2, Shri N. S. Ratra made a statement that the concerned

workmen were not employees of Escorts Ltd., rather they were engaged by the agents as the management gave delivery of the tractors at the factory gate. No allowance etc., was given to the drivers by the management. In view of *ex-parte* evidence of respondent No. 2, I find that concerned workmen were not employees of M/s. Escorts Ltd. The workmen did not come forward to controvert the plea of respondent No. 2, and also to establish their own case, therefore, the reference fails. The workmen are not entitled to any relief.

Dated, the 24th November, 1981.

M. C. BHARDWAJ,
Presiding Officer,
Industrial Tribunal, Haryana, Faridabad.

No. 4050, dated 25th November, 1981.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

M. C. BHARDWAJ,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

The 26th November, 1981

No. 9(1)81-6Lab/13117.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act, No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s Amerson Pal, IK/9, NIT, Faridabad:—

IN THE COURT OF SHRI HARI SINGH KAUSHIK, PRESIDING OFFICER, LABOUR COURT, HARYANA, FARIDABAD.

Reference No. 444 of 1980

between

SHRI JAGDISH WORKMAN AND THE MANAGEMENT OF M/S AMERSON PAL, IK/9, NIT, FARIDABAD.

Appearances.

Shri Roshan Lal Sharma, for the workman.
None, for the management.

AWARD

This reference No. 444 of 1980 has been referred to this court by the Hon'ble Governor of Haryana.—*vide* his order No. ID/FD/93-80/49726, dated 17th September, 1981 under section 10 (i) (c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Shri Jagdish workman and the management of M/s Amerson Pal, IK/9, N. I. T., Faridabad. The term of the reference was:—

Whether the termination of services of Shri Jagdish was justified and in order? If not, to what relief is he entitled?

On receipt of the order of reference, notices were sent to the parties. The representative of the workman was present. The notice sent to the management has been returned back with the peon's remark that the factory is closed. The workman was given so many opportunities to take the notice Dasti but he failed. On 17th September, 1981 the last date of hearing none was present on behalf of the parties. It was already 2.30 P. M. The case was called thrice. In these circumstances, the reference was dismissed in default and I hold that there is no dispute between the parties. I, therefore, give my award accordingly. No order as to costs.

Dated 16th October, 1981

HARI SINGH KAUSHIK,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

Endst. No. 2997, dated 23rd October, 1981

Forwarded (four copies) to the Commissioner and Secretary to Government Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947, with the request that the receipt of the above said award may please be acknowledged within week's time.

HARI SINGH KAUSHIK,
Presiding Officer,
Labour Court, Haryana,
Faridabad.